

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRUCE SHANNON,

No. C-14-00004 DMR

Plaintiff(s),

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE TRANSFERRED**

v.

USPS ET AL,

Defendant(s).

According to Plaintiff's Amended Complaint, the incidents that form the basis of his complaint took place in Jackson, Mississippi, and Plaintiff lives in San Francisco, California. Pursuant to 28 U.S.C. § 1391, a case in which jurisdiction is not based solely on diversity of citizenship¹ may be filed only in:

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

¹ In his Complaint, Plaintiff states that he is filing under 42 U.S.C. § 1983 and alleges that this Court has federal question jurisdiction over this case.

28 U.S.C. § 1391(b). Based on the allegations in the complaint, it appears that the proper venue for this case is the Southern District of Mississippi because that is where “a substantial part of the events or omissions giving rise to the claim occurred.” 28 U.S.C. § 1391(b)(2). When a plaintiff files his or her case in the wrong district, the court must either dismiss the case or transfer it to the District Court in the correct district. *See* 28 U.S.C. § 1406(a). Thus, unless Plaintiff can show legal authority for venue in this district, the court will transfer the case to the Southern District of Mississippi. Accordingly, IT IS HEREBY ORDERED that, **by no later than April 11, 2014**, Plaintiff shall file a statement explaining why this case should not be transferred to the United States District Court for the Southern District of Mississippi. Plaintiff shall also state whether the Amended Complaint has been served on Defendants. The Case Management Conference scheduled for April 2, 2014 is VACATED and will be re-set, if necessary.

The court refers Plaintiff to the section “Representing Yourself” on the Court’s website, located at <http://cand.uscourts.gov/proselitigants>, as well as the Court’s Legal Help Centers for unrepresented parties. In San Francisco, the Legal Help Center is located on the 15th Floor, Room 2796, of the United States Courthouse, 450 Golden Gate Avenue, San Francisco. In Oakland, the Legal Help Center is located on the 4th Floor, Room 470S, of the United States Courthouse, 1301 Clay Street, Oakland.

IT IS SO ORDERED.

Dated: March 27, 2014

